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C O N F I D E N T I A L CONAKRY 000174

SIPDIS

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TAGS: [AEMR](#) [PINS](#) [PGOV](#) [AMGT](#) [GV](#)

SUBJECT: TFGV01; SITREP 38. FEBRUARY 13, 2007, 1030 HOURS
STATE OF SIEGE/STATE OF EMERGENCY

CLASSIFIED BY AMBASSADOR JACKSON MCDONALD. REASON 1.4 (B) AND (D).

¶1. (U) Last evening, February 12, at 2015 hours, President Lansana Conte declared a "state of siege" throughout Guinea.

¶2. (U) In his very brief statement to the nation, Conte said that he had met almost all of the demands made during the recent general strike. He said that "people with bad intentions" had taken over the strike movement, attacking property throughout the country. He then ordered the Chief of Staff of the Armed Forces (General Kerfalla Camara) to re-establish order and to avert "civil war."

¶3. (U) Immediately thereafter, a journalist read the full text of a presidential decree declaring a state of siege throughout Guinea from February 12 through February ¶23.

¶4. (U) The decree gives the military power to maintain order and to arrest persons who present a threat to security or to public order or who seek to impede the functioning of government. Public and private meetings liable to cause public disorder are banned. Judges, the Minister of Interior, regional governors, prefects, the governor of Conakry, and mayors are empowered to order searches anywhere, anytime, day or night. The movement of people, vehicles, and goods is banned from 0600 hours to 1600 hours and from 2000 hours to 0600 hours. Marches, parades, rallies, and demonstrations are banned. The military is empowered to arrest persons who endanger public security. The military is empowered to control postal, telegraphic, and telephonic communications. The military can search and seize radio transmitters and receivers. The military can requisition persons, goods, and services, as provided by law. The military is empowered to control the press, all other publications, radio and television broadcasts, cinemas, and theaters. The military can transfer or suspend any civil servant or government employee whose activities are dangerous for public security. The military can seize arms, ammunition, explosives, and other lethal weapons or incendiary devices.

¶5. (U) Despite the broad powers conferred upon the military, the civilian government remains in place.

¶6. (SBU) In sum, this "state of siege" places Guinea under partial martial law for 12 days. It severely limits individual freedoms. It constitutes a great step backwards for democracy.

¶7. (SBU) For whatever reason, the last night's decree does not refer to Article 74 of the constitution (Fundamental Law) of 1990, which provides for a state of siege or state of emergency. Instead, the decree refers to subsequent Organic Law No. 91/016/CTRN of December 23, ¶1991. The decree does, however, appear to conform, at least in part, to Article 74 of the constitution, which

states:

"A state of siege or a state of emergency is decreed by the President of the Republic, with the advice of the President of the National Assembly and the President of the Supreme Court. Their advice is published in the Official Journal. The President of the Republic can, by order, take any measure necessary to defend national territorial integrity and to maintain public order. The National Assembly comes into session, if it is not already in session. It cannot be dissolved. The decree proclaiming a state of siege or state of emergency lapses after 12 days, unless the National Assembly, upon request from the President of the Republic, authorizes its extension for a period it determines. Orders taken to implement a state of siege or state of emergency lapse at the end of said state."

SITUATION ON THE GROUND

¶8. (SBU) The military deployed numerous patrols overnight February 12-13, but their presence is light as of this morning, February 13. There is no/no regular vehicular traffic. Diplomatic vehicles, however, are allowed. There are no known disturbances in Conakry or upcountry.

¶9. (C) Yesterday's disturbances at military bases have

Classified by Ambassador Jackson McDonald. Reasons 1.4(b) and (d).

subsided, but it remains unclear to what extent underlying tensions within the military persist.

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¶10. (SBU) There is great confusion among the population about what this state of siege means. The decree was broadcast in French only, not in local languages. People are uncertain what they can and cannot do. So far the population appears to be observing the curfew/state of siege in Conakry, but initial reports from upcountry indicate that some markets are open, with the local population either ignoring or not understanding the decree.

DIPLOMATIC

¶11. (C) Immediately after the declaration of the state of siege last evening, the Ambassador contacted Minister of State for Foreign Affairs Mamady Conde, who confirmed that he and other civilian ministers remain in place. The Ambassador firmly reminded the Foreign Minister that -- state of siege or not -- the Republic of Guinea has international obligations under the Vienna Convention on Diplomatic Relations to respect diplomatic immunities and to provide security for diplomatic missions and personnel. The Foreign Minister said he fully understood. The Ambassador insisted that the Foreign Minister also ensure that the military understands Guinea's obligations under international law. The Foreign Minister undertook to do so.

¶12. (C) After meeting with senior Guinean military officers this morning, French Ambassador Jean-Michel Berritt informed the Ambassador that the Guinean military had not thought through the ramifications of the state of siege on international flights, the welfare of expatriates, and their freedom of movement. The French Ambassador sensed that the military would loosen some of the current restrictions.

STATUS OF U.S. MISSION AND AMCITS

¶13. (U) The U.S. Mission is on Ordered Departure for EFMs. We expect to be on Authorized Departure for non-emergency, direct-hire personnel later today.

¶14. (U) We are actively coordinating the arrival of milair today at 1600 hours. The aircraft will bring three ESAT team members and then depart for Dakar with approximately 20 EFMs, 3 TDYers, and 20 private Amcits.

MCDONALD